

REMARKS

Claims 1-25 remain pending in the application.

Claims 1, 2-4, 7, 23 and 24 over Takeda

In the Office Action, claims 1, 2-4, 7, 23 and 24 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,385,021 to Takeda et al. ("Takeda"). The Applicants respectfully traverse the rejection.

Claims 1, 2-4, 7, 23 and 24 recite a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a **electrical over stress event**.

The Examiner alleges that Takeda discloses a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched on for a duration of an **electrostatic discharge event** (See Office Action, page 2). Thus, the Examiner **ACKNOWLEDGES** that Takeda's invention is directed toward a solution for **electrostatic discharge**. A thorough reading of Takeda fails to provide any solution for a **electrical over stress event (EOS)**, a term of art, much less disclose or suggest a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a **electrical over stress event**, as recited by claims 1, 2-4, 7, 23 and 24.

Hence, the rejection over Takeda should be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd., 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

Moreover, claims 23 and 24 recite a voltage threshold detector to detect an **electrical over stress event** associated with contact with a cable

wherein a potential is measured between a higher potential power rail and a lower potential ground rail in excess of a predetermined voltage.

As discussed above, Takeda fails to disclose detection of an electrical over stress event, much less disclose a voltage threshold detector to detect an electrical over stress event associated with contact with a cable wherein a potential is measured between a higher potential power rail and a lower potential ground rail in excess of a predetermined voltage, as recited by claims 23 and 24.

Accordingly, for at least all the above reasons, claims 1, 2-4, 7, 23 and 24 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 9, 10, 14, 15 and 19 over Wu

In the Office Action, claims 9, 10, 14, 15 and 19 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,552,886 to Wu et al. ("Wu"). The Applicants respectfully traverse the rejection.

Claims 9, 10 and 14 recite a system relying on an electrical over stress shunt. Claims 15 and 19 recite a system and method of turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress condition.

The Examiner alleges that Wu discloses an electrostatic discharge shunt and turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected ESD condition (See Office Action, page 5). Thus, the Examiner ACKNOWLEDGES that Wu's invention, like Takeda's invention, is directed toward a solution for electrostatic discharge. A thorough reading of Wu fails to provide any solution for a electrical over stress condition (EOS), a term of art, much less disclose or suggest a system relying on an electrical over stress shunt and a system and method of turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress condition, as recited by claims 9, 10, 14, 15 and 19.

Hence, the rejection over Wu should be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd, 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

Accordingly, for at least all the above reasons, claims 9, 10, 14, 15 and 19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 5, 6, 11-13, 16-18 and 20-22 over Takeda and Wu

In the Office Action, claims 5 and 6 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Takeda in view of U.S. Patent No. 6,552,886 to Wu et al. ("Wu"), claims 11, 16 and 20 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Wu, and 12, 13, 17, 18, 21 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Wu in view of Takeda. The Applicants respectfully traverse the rejection.

Claims 5 and 6 recite a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a electrical over stress event. Claims recite Claims 11-13 recite a system relying on an electrical over stress shunt. Claims 16-18 and 20-22 recite a system and method of turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress condition/event.

As discussed above, **BOTH** Takeda's and Wu's inventions are directed toward solutions for ESD. Neither Takeda and Wu disclose or suggest application of any of their teachings for a solution to an electrical over stress (EOS) condition/event.

Thus, even taking Takeda in view of Wu, and Wu in view of Takeda, the theoretical result would STILL be directed toward a solution to ESD NOT EOS, much less disclose or suggest a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a electrical over stress event, a system relying on an electrical over stress shunt, and a system and method of turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress condition/event, as recited by claims 5, 6, 11-13, 16-18 and 20-22.

Accordingly, for at least all the above reasons, claims 5, 6, 11-13, 16-18 and 20-22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 8 and 25 over Takeda in view of Whitney

In the Office Action, claims 8 and 25 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Takeda in view of U.S. Patent Application Publication No. 2002/0024791 to Whitney et al. ("Whitney"). The Applicants respectfully traverse the rejection.

Claim 8 recites a **switchable** low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a electrical over stress event. Claims 25 recites a system for turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress event.

As discussed above, Takeda fails to disclose or suggest any application to a EOS event, much less disclose or suggest a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a electrical over stress event, and a system for turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress event, as recited by claims 8 and 25.

Whitney appears to disclose a system and method of protecting devices from ESD events and overcurrent conditions (See paragraph 0002). A varistor 302 is shown as attached between a power source Vin and GND (See Whitney, Fig. 11, paragraph 0091).

Thus, Whitney is the only reference that appears to even mention EOS events. However, Whitney relies on a varistor between a power source Vin and GND **NOT** disclosing or suggesting any type of switchable path between a power rail and a ground rail, much less disclose or suggest a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a electrical over stress event. Claims 25 recites a system for turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress event, as recited by claims 8 and 25.

Thus, Takeda in view of Whitney would STILL fail to disclose or suggest a switchable low resistance path between a power rail and a ground rail, the low resistance path being adapted to be switched ON for a duration of a electrical over stress event. Claims 25 recites a system for turning ON a low resistance path between a power rail and a ground rail for a duration of an occurrence of a detected electrical over stress event, as recited by claims 8 and 25.

Accordingly, for at least all the above reasons, claims 8 and 25 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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